

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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IN RE: ALUMINUM WAREHOUSING  
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:  
DIRECT PURCHASER PLAINTIFFS  
(14cv03116)

Civil Action No. 1:13md02481-KBF  
Honorable Katherine B. Forrest

**MEMORANDUM IN SUPPORT OF CLASS PLAINTIFFS' MOTION  
TO AMEND CASE MANAGEMENT ORDER NO. 2 FOR  
SUBSTITUTION OF CO-LEAD COUNSEL**

This memorandum is submitted in support of the motion of Class Plaintiffs Ampal, Inc. and Custom Aluminum Products, Inc. to amend Case Management Order No. 2 (Docket Entry No. 216) by having Linda P. Nussbaum and the firm of Nussbaum Law Group, P.C. substituted for Grant & Eisenhofer P.A. ("G&E") as Interim Co-Lead Counsel for the proposed class of Direct Purchasers in the above-captioned action.

Ms. Nussbaum has served as the primary attorney and has otherwise directed this action on behalf of co-lead counsel G&E since the inception of this action.

Linda P. Nussbaum recently founded her current firm, Nussbaum Law Group, P.C. Ms. Nussbaum was formerly chairperson of the antitrust practice group at G&E. Nussbaum Law Group, P.C. has the full capability to serve as Interim Co-Lead Counsel in this litigation. Its attorneys have extensive knowledge and expertise gained through years of work on complex antitrust litigation before this and other courts. In addition to Ms. Nussbaum, Bradley J. Demuth, a director of Nussbaum Law Group working on this litigation, is a former law clerk to the United States Court of Appeals for the Second Circuit and spent years practicing antitrust law at Skadden, Arps, Slate, Meagher & Flom LLP and Cadwalder, Wickersham & Taft. Susan R.

Schwaiger, another Nussbaum Law Group, PC director working on this matter, was with Shearman & Sterling for 12 years before joining Ms. Nussbaum in 1998. Prior to joining the Nussbaum Law Group, Bart D. Cohen practiced for 23 years with a leading plaintiffs' class action firm focusing on antitrust class action litigation. In addition, in several weeks the Nussbaum Law Group team will be joined by an attorney with eight years of experience at two of the largest defense firms in the U.S.

Ms. Nussbaum, along with her co-lead counsel, have led the litigation for 19 months through the several motions to dismiss, the tutorial for the Court, arguments before the Court, procedural and discovery negotiations with defendants and numerous non-parties, and amendments to the Complaint, with which this Court is intimately familiar. Ms. Nussbaum has been an active lead counsel for direct purchasers in this litigation from the inception. In this week alone, Ms. Nussbaum took primary responsibility for class plaintiffs in the negotiations with defendants on the Stipulation Concerning Dismissed Parties and Claims filed April 30, 2015 (Docket No. 776). Nussbaum Law Group, P.C. and Ms. Nussbaum also had significant input on the Plaintiffs' Opposition to Defendants' Motion to Certify the Court's March 26, 2015 Order for Interlocutory Appeal Under 28 U.S. C. §1292(b). (Docket No. 778).

As memorialized in a letter to G&E dated April 15, 2015 for the "Authorization to Transfer Files and Substitution of Counsel," direct purchaser plaintiffs and proposed class representatives Ampal, Inc. and Custom Aluminum Products, Inc. directed that Linda P. Nussbaum and Nussbaum Law Group, P.C. was to represent them going forward, in this litigation.

The other Co-Lead counsel support the motion.

For all these reasons, Case Management Order No. 2 should be amended to substitute Linda P. Nussbaum and Nussbaum Law Group, P.C. for G&E as Interim Co-Lead Counsel for the proposed direct purchaser class in this litigation. A proposed order is submitted herewith.

Dated: May 5, 2015

Respectfully submitted,

NUSSBAUM LAW GROUP, P.C.

By: /s/ Linda P. Nussbaum

Linda P. Nussbaum  
Bradley J. Demuth  
Susan R. Schwaiger  
Bart D. Cohen  
570 Lexington Avenue, 19<sup>th</sup> Floor  
New York, NY 10022  
Telephone: (212) 702-7053  
Facsimile: (212) 681-0300  
Email: [lnussbaum@nussbaumpc.com](mailto:lnussbaum@nussbaumpc.com)

*Counsel for Plaintiffs Ampal, Inc., Custom Aluminum Products, Inc. and Extruded Aluminum Corp.*

*Ordered*

*Application granted.*

*K.B. JAC*  
*usd*

*5/6/15*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 5, 2015, the foregoing Memorandum in Support of Plaintiffs' Motion to Amend Case Management Order No. 2 for Substitution of Co-Lead Counsel and Proposed Order were filed electronically. Notification of this filing will be sent to all parties via the Court's CM/ECF system.

Dated: May 5, 2015

NUSSBAUM LAW GROUP, P.C.

By: /s/ Linda P. Nussbaum

*Attorney for Plaintiffs Ampal, Inc., Custom  
Aluminum Products, Inc. and Extruded Aluminum  
Corp.*